

Attorney Docket No.: DEX-0115
Inventors: Salceda et al.
Serial No.: 09/717,883
Filing Date: November 21, 2000
Page 2

In the Claims:

Please amend the claims as follows:

3. (thrice amended) A method for diagnosing the presence of cancer in a patient comprising:

(a) determining levels of Ovr107 in cells, tissues or bodily fluids in a patient, wherein Ovr107 comprises SEQ ID NO:1 and

(b) comparing the determined levels of Ovr107 with levels of Ovr107 in cells, tissues or bodily fluids from a normal human control, wherein an increase in determined levels of Ovr107 in said patient versus normal human control is associated with the presence of cancer.

4. (twice amended) A method of diagnosing metastases of cancer in a patient comprising:

(a) identifying a patient having cancer that is not known to have metastasized;

(b) determining Ovr107 levels in a sample of cells, tissues, or bodily fluid from said patient, wherein Ovr107 comprises SEQ ID NO:1; and

(c) comparing the determined Ovr107 levels with levels of Ovr107 in cells, tissue, or bodily fluid of a normal human control, wherein an increase in determined Ovr107 levels in the patient versus the normal human control is associated with a

Attorney Docket No.: **DEX-0115**
Inventors: **Salceda et al.**
Serial No.: **09/717,883**
Filing Date: **November 21, 2000**
Page 3

cancer which has metastasized.

5. (twice amended) A method of staging cancer in a patient having cancer comprising:

(a) identifying a patient having cancer;

(b) determining Ovr107 levels in a sample of cells, tissue, or bodily fluid from said patient, wherein Ovr107 comprises SEQ ID NO:1; and

(c) comparing determined Ovr107 levels with levels of Ovr107 in cells, tissues, or bodily fluid of a normal human control, wherein an increase in determined Ovr107 levels in said patient versus the normal human control is associated with a cancer which is progressing and a decrease in the determined Ovr107 levels is associated with a cancer which is regressing or in remission.

6. (twice amended) A method of monitoring cancer in a patient for the onset of metastasis comprising:

(a) identifying a patient having cancer that is not known to have metastasized;

(b) periodically determining levels of Ovr107 in samples of cells, tissues, or bodily fluid from said patient, wherein Ovr107 comprises SEQ ID NO:1; and

(c) comparing the periodically determined Ovr107 levels with levels of Ovr107 in cells, tissues, or bodily fluid of a normal

Attorney Docket No.: DEX-0115
Inventors: Salceda et al.
Serial No.: 09/717,883
Filing Date: November 21, 2000
Page 4

human control, wherein an increase in any one of the periodically determined Ovr107 levels in the patient versus the normal human control is associated with a cancer which has metastasized.

7. (twice amended) A method of monitoring a change in stage of cancer in a patient comprising:

(a) identifying a patient having cancer;

D²
W
(b) periodically determining levels of Ovr107 in cells, tissues, or bodily fluid from said patient, wherein Ovr107 comprises SEQ ID NO:1; and

(c) comparing the periodically determined Ovr107 levels with levels of Ovr107 in cells, tissues, or bodily fluid of a normal human control, wherein an increase in any one of the periodically determined Ovr107 levels in the patient versus the normal human control is associated with a cancer which is progressing in stage and a decrease is associated with a cancer which is regressing in stage or in remission.

REMARKS

Claims 3-7 are pending in the instant application.

Claims 3-7 remain rejected under 35 U.S.C. § 112, second paragraph, for failing to set the metes and bounds of the instant invention.